

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CRM-M- 27936-2022

Decided on : March 09, 2023

Arun Kumar.

..... Petitioner

Versus

State of Haryana and others.

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Anil Saini, Advocate for
Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

None for Respondent No.5.

NAMIT KUMAR, J. (Oral)

The present petition has been filed under Section 482 of Cr.P.C. seeking directions to official respondents to conclude the investigation in FIR No.155 dated 21.08.2018, registered under Section 420 of IPC, at Police Station Hassanpur, District Palwal and submit report/challan under Section 173 of Cr.P.C. before the competent court of law in a time bound manner.

On issuance of notice of motion, status report by way of affidavit dated 23.08.2022 of Mr. Sajjan Singh, HPS, Deputy Superintendent of Police, Hodal, District Palwal, has been filed on behalf of respondent nos.1 to 4-State of Haryana. The relevant portion of the said report is as under:-

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1. That the present case FIR no. 155 dated 21.8.2018, u/s 420 IPC, P.S Hassanpur was registered upon the complaint of Arun

Kumar (present petitioner). The present FIR was got lodged with the allegations of putting his false signature on CM Window action taken report prepared by the office of BDPO Hassanpur, Palwal on the complaint moved by the present petitioner to CM Window, Palwal. A true version of FIR is already on record as Annexure "P-3", therefore, for sake of brevity and to avoid repetition, the same is not being produced here.

2. *That after registration of the FIR, the initial investigation of the case was carried out by HC Narender Singh. He recorded the statements of witnesses.*

3. *That during the course of investigation it was found that Rakesh Kumar, Clerk BDPO Office Hassanpur prepared the report of CM Window action taken report. The said CM window action taken report in original was taken into police possession. Since the present FIR was got lodged with the allegations of putting false signature of the present petitioner on CM Window action taken report. Therefore, on 7.2.2019 the specimen writing of Rakesh Kumar Clerk was obtained with permission of the Learned Court of JMIC, Hodal. Likewise specimen signatures of the present petitioner were also obtained on 18.2.2019 with permission of the Learned JMIC, Hodal.*

4. *That the original specimen writing of the Rakesh Kumar, Clerk obtained on 7.2.2019, the specimen signatures of the present petitioner obtained on 18.2.2019 and CM Window action taken report were sent to RFSL Bhondsi, Gurugram for their comparison and report. A report dated 20.8.2019 on the same was received from RFSL Bhondsi, Gurugram and as per report, the specimen writing, admitted signature and disputed signature did not match. A copy of RFSL report is attached herewith as Annexure "R-1" for kind perusal of this Hon'ble Court.*

5. *That on basis of the said report from RFSL, a closure report was recorded in the case on 21.11.2019 by the Inspector/SHOP.S Hassanpur.*

6. *That thereafter further investigation was carried out in the case on the orders of the Higher Officers. During the course of*

further investigation, a list of erstwhile employees of BDPO, Hassanpur was obtained and taken on record.

7. *That on 18.8.2020 specimen writing of the employees of the office of BDPO Hassanpur namely Lal Singh-JRY, Ramesh Kumar-Block Patwari, Shiv Kumar-Panchayat Secretary, Hariom-Panchayat Secretary, Samim Khan- Panchayat Secretary, Badan Singh-Peon, Bir Singh, Panchayat Secretary, Dinesh- Panchayat Secretary, Jagdish Chand- Panchayat Secretary, Gautam- Panchayat Secretary, Prithvi Raj Singh- Panchayat Secretary and Jitender Kumar-Clerk were obtained on the order of the Learned Illaka Magistrate, Hodal and taken into possession as evidence. Likewise, the specimen handwriting of Rajan Singla-erstwhile BDPO was also obtained on 27.8.2020 on the order of the Learned Illaka Magistrate, Hodal and the same was also taken into possession as evidence.*

8. *That specimen handwriting obtained on 18.8.2020 and 27.8.2020 and disputed signature were also sent to RFSL, Bhondsi for their matching and report. A report dated 5.10.2020 on the same was received, however, as per report the specimen handwriting, admitted signature and disputed signature did not match. A copy of RFSL report dated 5.10.2020 is attached herewith as Annexure R"-2" for kind perusal of this Hon'ble Court.*

9. *That the investigation is still going on and concerted efforts are being made to trace out and arrest the unknown accused.*

10. *That it is submitted that a thorough and fair investigation has been carried out in the case without prejudice to anyone. In case, the accused is found in future, he would be booked as per provisions of law.*

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Learned State counsel on instructions from ASI-Sanjay Kumar submits that untraced report has been filed before learned trial court on 11.10.2022.

In view of the above, the instant petition has become infructuous, as

investigation in the present case has been completed and untraced report has been submitted before the trial court and if the petitioner still has any grievance, he is at liberty to move an appropriate application before the trial court for redressal of his grievance.

Disposed of as having been rendered infructuous.

March 09, 2023
mkkoundal

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No